

Amendment
Serial No. 10/771,793

REMARKS

Claims 1-14 are pending in the application. Claims 2-4 and 9-11 are canceled without prejudice or a disclaimer. Claims 1 and 8 are independent claims.

Claim 1 is amended to conform the language of claim 1 to idiomatic English.

Claims 3 and 8 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. According to the Patent Office, claims 3 and 8 recite "the optical band-pass filter" in line 2.

The Applicant respectfully submits that claim 3 is canceled without a disclaimer. Moreover, the Applicant submits that claim 8 does not recite "the optical band-pass filter."

As such, the Applicant respectfully requests withdrawal of the rejections.

Claims 1 and 8 stand rejected under 35 U.S.C §103(a) as allegedly being obvious over Miyazaki *et al.* (U.S. 6,331,907) ("Miyazaki").

Claim 1 recites a multi-wavelength light source unit comprising "an optical isolator being disposed between the optical band-pass filter and the multiplexer, the optical isolator being configured to block the light signal component reflected to the multiplexer from the optical band-pass filter." Claim 8 recites a multi-wavelength light source unit comprising a similar optical isolator.

As noted in the claims 1 and 8, the present multi-wavelength light source does not comprise a mere optical isolator. The light source comprises an optical isolator that is disposed between the optical band-pass filter and the multiplexer and that is configured to block the light signal component reflected to the multiplexer from the optical band-pass filter.

To reject a claim under section 103, the United States Court of Appeals for the Federal Circuit explicitly required a showing of an un rebutted prima facie case of obviousness (*In re*

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Rouffet, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998)). According to the MPEP 2143.03, the *prima facie* case can be established only if the prior art references, among others, teach *ALL* features in the claim.

In rejecting patentability of the present claims, the Patent Office acknowledges that Miyazaki fails to teach an optical isolator being disposed between the optical band-pass filter and the multiplexer (the present Office Action, page 2-3). However, the Patent Office indicates that isolator does not render the present invention patentable (*id.*).

Miyazaki, as read by the Applicant, discloses a multi-wavelength light source comprising a demultiplexer (80) having a single input port and a plurality of output ports; a multiplexer (82) having a plurality of input ports and a single output port; a plurality of erbium doped fiber amplifiers ("EDFA") (84), wherein each output port of the demultiplexer (80) is connected to corresponding input port of the multiplexer (82) via the EDFA (84) (see FIG. 9). Moreover, Miyazaki discloses that the light source may further comprise an optical band pass filter (the "OBPF") (22) provided between the output ports of the multiplexer element (82) and the input port of the demultiplexer (80) (column 11, line 52-57).

Furthermore, Miyazaki discloses that in some embodiments, the light source may comprise a plurality of optical isolators (30), where each isolator (30) is interposed between the each EDFA (84) and each output port of the demultiplexer (80) (see FIG. 6; see also column 9, line 17-21). According to Miyazaki, the isolators are configured to prevent the pumping light from entering the demultiplexer (80) via the output ports (column 9, line 32-35).

Therefore, Miyazaki fails to teach a multi-wavelength light source unit comprising "an optical isolator being disposed between the optical band-pass filter and the multiplexer, the

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optical isolator being configured to block the light signal component reflected to the multiplexer from the optical band-pass filter," as recited in claims 1 and 8.

As such, Miyazaki fails to teach all features of claims 1 and 8, and Miyazaki, fails to render claims 1 and 8 obvious.

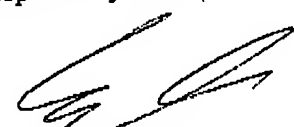
The Applicant respectfully requests withdrawal of the rejection.

Other claims in this application are each dependent on the independent claims 1 and 8 and are believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

Date: 2/14/06

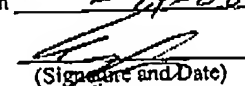

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
Steve Cha, Registration No. 44,069
Cha & Reiter
210 Route 4 East, #103
Paramus, NJ 07652
Tel: 201-226-9245
Fax: 201-226-9246

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Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)